

To: Washburn, Ben[washburn.ben@epa.gov]
From: Quirarte-Ortiz, Cecilia
Sent: Thur 5/8/2014 2:34:44 PM
Subject: RE: OPA Daily Digest 5/7/14

Posted for 5/7/14

From: Washburn, Ben
Sent: Wednesday, May 07, 2014 4:32 PM
Subject: OPA Daily Digest 5/7/14

OPA Daily Digest for 5/7/14

Congressional Inquiries:

Sen. Claire McCaskill (Mo.) – Letter – 5/2/14: Constituent concerns about the Strecker Forest/Bliss Ellisville site removal action. Due: 5/16/14. Contact: LaTonya Sanders, 7555 (open)

State Government Inquiries:

None

Press Inquiries:

KWQC-TV, Davenport, Iowa – 4/25/15: Questions about water issues in Muscatine, Iowa. Contact: Kris Lancaster, 7557 (closed)

Des Moines Register – Joel Aschbrenner – 5/2/14: Questions regarding Dico site in Des Moines, Iowa. Contact: Ben Washburn, 7364 (closed)

Wall Street Journal – John Emshwiller – 5/6/14: Questions about West Lake Landfill Site in Bridgeton, Mo.
Contact: Ben Washburn, 7364 (open)

KWMU Public Radio, St. Louis – Veronique LaCapra – 5/7/14: Questions about West Lake Landfill Site in Bridgeton, Mo. Contact: Chris Whitley, 7394 (open)

KTVI Channel 2, St. Louis – Bonita Cornute – 5/7/14: Questions about West Lake Landfill Site in Bridgeton, Mo.
Contact: Chris Whitley, 7394 (open)

St. Louis Post-Dispatch – Blythe Bernhard – 5/7/14: Questions about West Lake Landfill Site in Bridgeton, Mo.
Contact: Chris Whitley, 7394 (open)

KSDK Channel 5, St. Louis – Farah Fazal -5/7/14: Questions about West Lake Landfill Site in Bridgeton, Mo.
Contact: Chris Whitley, 7394 (open)

Environmental Stories:

Waterloo Cedar Falls Courier (Iowa) - Citizens Call For Tougher Animal Feedlot Rules - 5/7/14 - Almost everyone who spoke Tuesday at a public hearing on proposed changes in the rules for animal-feeding confinements said tougher measures are needed than those proposed. "It's very clear Iowa has become a toilet," said Chris Petersen of Clear Lake, president of the Iowa Farmers Union. http://wcfcourier.com/business/local/citizens-call-for-tougher-animal-feedlot-rules/article_6d8bddfa-ac81-58d4-89ff-1e45a2f3c3d4.html

Des Moines Register - EPA holds liens against Dico land (+video) - 5/7/14 - Multiple ideas have been floated for redeveloping the contaminated former Dico Manufacturing plant, but each would require a deal between unlikely partners: Morry Taylor and the Environmental Protection Agency. <http://www.desmoinesregister.com/story/money/business/2014/05/07/epa-holds-liens-dico-land/8795153/>

NOTE: Paywall issues may keep you from seeing this article. Full text is included at the end of this email.

Washington Times - Watchdog finds more EPA personnel problems | One worker surfed for porn, another did no work – 5/6/14 - One EPA employee spent up to six hours a day looking at pornography while on the job, and another employee has been allowed to work from home for years but had little to show for it, according to an ongoing internal investigation that the agency's inspector general will detail to Congress on Wednesday. <http://www.washingtontimes.com/news/2014/may/6/watchdog-finds-more-epa-personnel-problems/>

Kansas City Star - Federal study says climate change is already here - 5/6/14 - A federal scientific panel said Tuesday that climate change has “moved firmly into the present.” The resulting shift in long-term weather patterns carries some beneficial effects — crops grown where they were impractical before — but the group’s report said “many more are detrimental.” <http://www.kansascity.com/2014/05/06/5007424/feds-say-climate-change-already.html>

Kansas City Star - Opinion: White House report on climate change speaks to true believers - 5/7/14 - A new White House report on climate change speaks to what true believers have heard all along: The planet is in trouble and human consumption of fossil fuels is responsible. <http://www.kansascity.com/2014/05/06/5005907/white-house-report-on-climate.html>

Omaha World-Herald - National climate report details how our weather is already changing - 5/7/14 - Climate change is no longer a distant worry, but instead it has begun to change life across the United States, according to a federal report released Tuesday. <http://www.weddingessentialsmagazine.com/article/20140506/NEWS/140508894>

Omaha World-Herald - Where Democrats see 'alarm bell' in national climate report, GOP sees 'alarmists' - 5/7/14 - Political reaction to Tuesday's new climate change report shows just how much of a partisan divide persists on the issue. <http://www.weddingessentialsmagazine.com/article/20140507/NEWS/140508888/1685>

Omaha World-Herald - Nancy's Almanac: National report details climate change at regional level - 5/7/14 - Scientists have long known how global warming affects the planet on a large scale: sea levels are rising, glaciers are melting, the atmosphere contains more water. Much harder to figure out has been changes at the regional level. How will weather in the Great Plains change compared to the Desert Southwest? Or the Northeast? <http://www.weddingessentialsmagazine.com/article/20140507/NEWS/140508913/1685>

Omaha World-Herald - Sen. Smith: EPA’s overreach inflexible for states - 5/7/14 - With so much at stake, we must take aggressive and proactive measures against the EPA to ensure that Nebraska can control its own energy and economic future. <http://www.omaha.com/article/20140507/NEWS08/140508953>

Lincoln Journal-Star - Fischer warns of higher energy costs - 5/6/14 - Sen. Deb Fischer warned Tuesday that the Obama administration's expected response to a "politically charged" national climate assessment report could lead to higher energy costs. http://journalstar.com/news/state-and-regional/federal-politics/fischer-warns-of-higher-energy-costs/article_4bb8c2b4-ea3f-57fc-acf3-b05ee4aee50f.html

Brownfield Ag News - Missouri ag groups ask for rule change reconsideration - 5/6/14 - The Missouri Dairy Association and the Missouri Pork Association are among organizations that want the EPA and U.S. Army Corps of Engineers to back off plans for a rule change under the Clean Water Act.
<http://brownfieldagnews.com/2014/05/06/missouri-ag-groups-rule-change-reconsideration/>

The Hill - Court upholds EPA's 2013 renewable fuel mandate - 5/6/14 - The Court of Appeals for the District of Columbia Circuit refused Tuesday to overturn the Environmental Protection Agency's (EPA) 2013 Renewable Fuels Standard (RFS) level, saying the agency has "wide latitude" in deciding how it sets the mandate.
<http://thehill.com/policy/energy-environment/205363-court-upholds-epas-2013-renewable-fuel-mandate>

NPR - White House Report Says Climate Change Is Here And Now - 5/6/14 - A new U.S. government report tells an unambiguous story: The planet is warming, climate change is driven primarily by people and it's already affecting Americans, through more frequent or intense heat waves, downpours and, in some regions, floods or droughts. <http://www.npr.org/2014/05/06/310165886/white-house-report-says-climate-change-is-here-and-now>

NPR - Obama Sounds Alarm Bell On Climate Change. Is Anyone Listening? (video) - 5/7/14 - President Obama is touting a government report on climate change. He's taking steps to limit the greenhouse gases that contribute to a warming planet, but he faces political heat on Capitol Hill.
<http://www.npr.org/2014/05/07/310300889/obama-sounds-alarm-bell-on-climate-change-is-anyone-listening>

NPR - Despite Warnings On Warming, Public Response Remains Lukewarm - 5/6/14 - The National Climate Assessment was released today. NPR's Robert Siegel talks to Bill McKibben, author of *Oil and Honey: The Education of an Unlikely Activist*, about the report. <http://www.npr.org/2014/05/06/310165852/despite-warnings-on-warming-public-response-remains-lukewarm>

NPR - Report: Climate Change Creates Public Health Costs - 5/6/14 - Melissa Block speaks with Brian Stone, director of the Urban Climate Lab at Georgia Institute of Technology, about the public health effects of climate change. <http://www.npr.org/2014/05/06/310165893/report-climate-change-creates-public-health-costs>

Christian Science Monitor - No region of US untouched by climate change, but effects vary, report finds (+video) - 5/6/14 - Climate change is already affecting all regions of the US and their economies, states a report prepared by the Obama administration for Congress. Effects will intensify absent more vigorous efforts to cut greenhouse gases, it adds. <http://www.csmonitor.com/Environment/2014/0506/No-region-of-US-untouched-by-climate-change-but-effects-vary-report-finds-video>

Christian Science Monitor - Climate change report: How to keep lights on when water is scarce (+video) - 5/6/14 - Climate change poses threats to the extraction, production, and distribution of energy across the US, according to a new climate-change report from the Obama administration. Much of the challenge for the energy

industry revolves around its reliance on water for cooling and production needs.

<http://www.csmonitor.com/Environment/Energy-Voices/2014/0506/Climate-change-report-How-to-keep-lights-on-when-water-is-scarce-video>

Grist (blog) - Now, some carbon research even climate deniers can get bummed over - 5/7/14 - Even climate-change deniers agree that humans are burning a lot of fossil fuels and increasing the amount of carbon in the atmosphere. They just dispute that this increase in carbon is causing the global climate to change via the greenhouse effect. (Most of them, anyway; there's no upper limit on crazy.) <http://grist.org/food/now-some-carbon-research-even-climate-deniers-can-get-bummed-over/>

E&E Daily - Murkowski seeks improved planning and tracking of water used to produce energy - 5/6/14 - Senate Energy and Natural Resources Committee ranking member Lisa Murkowski is slated to unveil a plan today for improving the tracking and conservation of water needed to run the country's thirsty energy sector. <http://www.eenews.net/eedaily/stories/1059999049/>

E&E Daily - Still no deal on amendments as test vote planned for Shaheen-Portman - 5/6/14 - Republicans and Democrats remained at odds yesterday evening over how many energy votes the Senate would hold this week and what subjects they would cover, even as the upper chamber plans a procedural vote this morning. <http://www.eenews.net/eedaily/stories/1059999054/>

Greenwire - States make closing arguments on existing power plant rule - 5/6/14 - State regulators are weighing in on U.S. EPA's climate change rule for existing power plants with a month to go before the proposal's release. <http://www.eenews.net/greenwire/stories/1059999089/>

Greenwire - Skeptical judges question enviros challenging EPA's cross-state guidance - 5/6/14 - Judges were skeptical of environmentalists' arguments today in a case pitting green groups against U.S. EPA on the validity of a memo instructing states to continue to use an old air pollution rule. <http://www.eenews.net/greenwire/stories/1059999085/>

Greenwire - Climate change a bigger threat to wildlife than wind turbines -- paper - 5/6/14 - The threat of extinctions from global climate change far outweighs the risks to local bird and bat species from new wind farms, according to a new paper by scientists from a wind energy coalition. <http://www.eenews.net/greenwire/stories/1059999080/>

Greenwire - Court upholds EPA's 2013 RFS rule - 5/6/14 - A federal court today upheld U.S. EPA's 2013 renewable fuel standard rule against a challenge from a refinery owned by Delta Air Lines Inc. <http://www.eenews.net/greenwire/stories/1059999082/>

Greenwire - White House hopes report will create 'sense of urgency' - 5/6/14 - The White House upped the ante today on its bet that Americans will care more about climate change if they understand its costs for their own communities, throwing resources and presidential star power behind the release of a new scientific report on the regional effects of warming. <http://www.eenews.net/greenwire/stories/1059999091/>

ClimateWire - Family farmers show how to increase yields in a warming world - 5/6/14 - The planet is warming, and the world's population is projected to reach 9 billion by 2050, but the key to feeding all these people while food resources dwindle due to climate change may be found with small-scale farmers who are barely able to feed themselves. <http://www.eenews.net/climatewire/stories/1059999041/>

Brownfield Ag News - NCA3 examines effects of climate change on rural communities (audio) - 5/7/14 - For the first time ever, the National Climate Assessment (NCA3) examined the effects of climate change on rural communities. <http://brownfieldagnews.com/2014/05/07/nca3-examines-effects-climate-change-rural-communities/>

Brownfield Ag News - Climate report contains dire warnings - 5/6/14 - The national climate assessment report released on Tuesday predicts that climate disruptions to agricultural production will continue to increase over the next 25 years. <http://brownfieldagnews.com/2014/05/06/climate-report-dire-warnings/>

The Atlantic Cities - The U.S. Faces Longer Summers of Worsening Ozone Pollution - 5/6/14 - The public soundtrack of the United States of the future could be a discordant symphony of hacking, wheezing, and curses. That's because as the world continues to warm, the number of troublesome high-ozone days throughout the country will likely pile up, say researchers. <http://www.theatlanticcities.com/jobs-and-economy/2014/05/us-faces-longer-summer-worsening-ozone-pollution/9041/>

Huffington Post - The Next Frontier In The War Over Science - 5/6/14 - The Obama administration and the scientific community at large are expressing serious alarm at a House Republican bill that they argue would dramatically undermine way research is conducted in America. http://www.huffingtonpost.com/2014/05/06/war-on-science_n_5269527.html

KMOX Radio St. Louis - EPA Agrees to Screen for Contamination at Bridgeton Athletic Complex - 5/7/14 - A week after organizers moved a major little league tournament from a sports complex in Bridgeton for fear of radioactive contamination, the EPA has agreed to conduct screening for possible contamination at the Bridgeton Municipal Athletic Complex. <http://stlouis.cbslocal.com/2014/05/07/epa-agrees-to-screen-for-contamination-at-bridgeton-athletic-complex/>

Call Newspapers (St. Louis) - School board eyes measure urging Ameren to increase reliance on clean energy -

5/7/14 - Following a presentation by a local group opposed to Ameren Missouri's coal-fired plant in Oakville, the Mehlville Board of Education is set to consider a resolution this week urging Ameren to increase its reliance on clean energy. <http://www.callnewspapers.com/Articles-Impact-News-i-2014-05-07-272640.112112-School-board-eyes-measure-urging-Ameren-to-increase-reliance-on-clean-energy.html>

Wichita Eagle - City OKs KDHE project to hook up west Wichita homes to water lines - 5/6/14 - Wichita City Council members signed on Tuesday to the state's emergency action to get safe drinking water to a portion of west Wichita whose groundwater has been polluted by a toxic dry cleaning solvent. <http://www.kansas.com/2014/05/06/3442014/city-oks-kdhe-project-to-hook.html>

BNB - Understanding Water, Energy, Food Nexus Will Help Business Resiliency, Report Says - 5/6/14 - Businesses need to develop an understanding of the interdependent nature of energy, water and food to help them create operations that are more resilient to shortages of these resources, a report released May 6 by the U.S. Chamber of Commerce Foundation said. http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=46050244&vname=dennotallissues&jd=a0e9z4b3x2&split=0

BNB - D.C. Circuit Upholds Renewables Standard For 2013 Despite It Being Eight Months Late - 5/6/14 - Federal appellate judges May 6 unanimously rejected challenges to the Environmental Protection Agency's renewable fuel standard for 2013 despite the rule being issued more than eight months late. http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=46050230&vname=dennotallissues&jd=a0e9z2g1w7&split=0

BNB - Amendment Fight Threatens Senate Bill, Vote on Linked Keystone Pipeline Legislation - 5/6/14 - Senate Majority Leader Harry Reid (D-Nev.) said May 6 he won't allow Republican-backed amendments to an energy efficiency bill on the Senate floor, a move that could sink the bill and a linked vote on legislation approving the Keystone XL pipeline. http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=46050243&vname=dennotallissues&jd=a0e9z3y5k6&split=0

BNB - U.S. Issues Loudest, Clearest 'Alarm Bell' On Climate Action to Date, Adviser Says - 5/6/14 - Researchers have issued the "loudest and clearest alarm bell to date" signaling the need for urgent actions to combat climate change in the U.S., the president's science adviser said May 6. http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=46050246&vname=dennotallissues&jd=a0f0a0b2g3&split=0

BNB - Congress Splits Along Party Lines in Reaction To Warnings in National Climate Assessment - 5/6/14 - Members of Congress split along party lines May 6 in reacting to the release of a broad U.S. assessment of how climate change is impacting U.S. regions. http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=46050237&vname=dennotallissues&jd=a0e9z3t4v9&split=0

BNB - House Appropriations Transportation Bill Proposes \$19.4M Increase in PHMSA Funds - 5/6/14 - The

House Appropriations Committee released a draft fiscal year 2015 appropriations bill May 6 that would allocate \$205.2 million to the federal agency that monitors pipeline safety and hazardous materials safety programs, a \$19.4 million increase from fiscal year 2014 enacted levels.

http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=46050238&vname=dennotallissues&jd=a0e9z3u4d3&split=0

BNB - Judges Question Advocacy Groups' Standing In Challenge to EPA Cross-State Rule Memo - 5/6/14 -

Federal appeals court judges May 6 appeared skeptical the Sierra Club and other environmental groups have established standing to challenge a 2012 Environmental Protection Agency memo advising regional offices on how to respond to a court decision striking down the Cross-State Air Pollution Rule.

http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=46050240&vname=dennotallissues&jd=a0e9z3v8u5&split=0

Inside EPA - White House Plans Campaign To Highlight Climate Study's Regional Risks - 5/6/14 -

The Obama administration is launching a public outreach campaign to highlight the findings of the just-released third National Climate Assessment (NCA), in an effort to underscore adverse regional impacts of climate change the study documents and increase public support for both mitigation and adaptation efforts.

<http://insideepa.com/201405062469832/EPA-Daily-News/Daily-News/white-house-plans-campaign-to-highlight-climate-studys-regional-risks/menu-id-95.html>

Inside EPA - EPA Decision To Lower 2013 Cellulosic RFS Spurs Debate On 2014 Target - 5/6/14 - EPA's decision to lower the 2013 renewable fuel standard (RFS) target for cellulosic biofuel production is spurring debate over what signal the move sends for the looming final 2014 RFS cellulosic target.

<http://insideepa.com/201405062469952/EPA-Daily-News/Daily-News/epa-decision-to-lower-2013-cellulosic-rfs-spurs-debate-on-2014-target/menu-id-95.html>

Inside EPA - D.C. Circuit Rejects Refiners' Challenge To EPA's 2013 RFS Fuel Targets - 5/6/14 - The U.S. Court of Appeals for the District of Columbia Circuit in a unanimous opinion has rejected refiners' suit challenging EPA's renewable fuel standard (RFS) targets for 2013.

<http://insideepa.com/201405062469953/EPA-Daily-News/Daily-News/dc-circuit-rejects-refiners-challenge-to-epas-2013-rfs-fuel-targets/menu-id-95.html>

Inside EPA - NAS Praises IRIS Reforms But Pushes Systematic Review For More Gains - 5/6/14 - A National Academy of Sciences (NAS) panel is praising the reforms EPA has made to improve its controversial Integrated Risk Information System (IRIS) chemical assessment program, though the panel is also urging the agency to adopt further elements of a review and analytical approach -- known as systematic review.

<http://insideepa.com/201405062469954/EPA-Daily-News/Daily-News/nas-praises-iris-reforms-but-pushes-systematic-review-for-more-gains/menu-id-95.html>

Inside EPA - Judges Suggest Mootness, Standing Hurdles For CSAPR Policy Memo Suit - 5/6/14 - Appellate judges at May 6 oral arguments suggested environmentalists may face hurdles proving they have legal standing to sue EPA over a policy memo that sought to provide interim advice to states on how to craft air pollution control plans.

<http://cleanenergyreport.com/201405062469850/Clean-Energy-Report-Daily-News/News/judges-suggest->

mootness-standing-hurdles-for-csapr-policy-memo-suit/menu-id-202.html

Inside EPA - DOJ Highlights Legal Uncertainty For EPA After Reinstatement Of CSAPR - 5/6/14 - A top Department of Justice (DOJ) attorney says that despite the Supreme Court's reinstatement of EPA's Cross-State Air Pollution Rule (CSAPR) emissions trading program, there is lingering legal uncertainty for the agency as the appellate panel that rejected the rule will now consider specific challenges to CSAPR it did not previously address. <http://cleanenergyreport.com/201405062469852/Clean-Energy-Report-Daily-News/News/doj-highlights-legal-uncertainty-for-epa-after-reinstatement-of-csapr/menu-id-202.html>

Inside EPA - Reid Resists EPA Amendments On Efficiency Bill - 5/6/14 - Senate Majority Leader Harry Reid (D-NV) is promising to block consideration of amendments targeting EPA's greenhouse gas (GHG) rules for power plants when the Senate takes up long-pending, bipartisan energy efficiency legislation. [http://cleanenergyreport.com/201405062469921/Clean-](http://cleanenergyreport.com/201405062469921/Clean-Energy-Report-Blog/Clean-Energy-Wire/reid-resists-epa-amendments-on-efficiency-bill/menu-id-204.html)

[Energy-Report-Blog/Clean-Energy-Wire/reid-resists-epa-amendments-on-efficiency-bill/menu-id-204.html](http://cleanenergyreport.com/201405062469921/Clean-Energy-Report-Blog/Clean-Energy-Wire/reid-resists-epa-amendments-on-efficiency-bill/menu-id-204.html)

Inside EPA - Ahead Of Argument, Key Court Seeks EPA View On Water Permit Shield Suit - 5/7/14 - A federal appeals court is asking the government to weigh in on a closely watched case that could narrow the "permit shield" that protects individual Clean Water Act (CWA) permit-holders from enforcement actions. <http://insideepa.com/201405072469976/EPA-Daily-News/Daily-News/ahead-of-argument-key-court-seeks-epa-view-on-water-permit-shield-suit/menu-id-95.html>

Press Releases:

Link to all R7 press releases: <http://go.usa.gov/Qx5>

None

Fact Sheets:

Link to all R7 fact sheets: <http://www.epa.gov/region7/factsheets>

None

Upcoming Administrator/RA Events:

* New additions noted with an asterisk

5/12/14 – Meet with Iowa Committee for Community Improvement (ICCI) Representatives, Des Moines, Iowa. Contact: Dave Cozad, 7587

5/12-13/14 – Waters of the U.S. Outreach Event – University of Lincoln, Lincoln, Neb. Contact: Kris Lancaster, 7557

5/14/14 – State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience Meeting, Des Moines, Iowa. Contact: Julia Cacho, 7071

5/15/14 – Small Business Majority Roundtable, Waterloo, Iowa. Contact: Julia Cacho, 7071

5/15/14 – OARM Diversity Training, Regional Office. Contact: Greg Davis, 7208

5/20-21/14 – Budget Planning Meeting, Washington, D.C. Contact: Julia Cacho, 7071

***6/4/14** – OECA Visit, Regional Office. Contact: Deandre Singletary, 7373

6/5/14 – Incident Command System Training, Regional Office. Contact: Cecilia Tapia, 7733

6/12/14 – Joint R6/R7 COOP Meeting, Regional Office. Contact: Chris Taylor, 7373

6/24-25/14 – Four State Directors Meeting, Nebraska City, Neb. Contact: Wendy Lubbe, 7551

7/21-22/14 – Budget Forum, Washington, D.C. Contact: Julia Cacho, 7071

DRA:

5/15/14 – OARM Diversity Training, Regional Office. Contact: Greg Davis, 7208

5/20-21/14 – Budget Planning Meeting, Washington, D.C. Contact: Julia Cacho, 7071

6/24-25/14 – Four State Directors Meeting, Nebraska City, Neb. Contact: Wendy Lubbe, 7551

7/21-22/14 – Budget Forum, Washington, D.C. Contact: Julia Cacho, 7071

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RA/Immediate Office

None

Other Events

AWMD

None

CNSL

None

ECO/EJ

None

ENSV

None

PLMG

None

RA/OPA

9/29-30/14 - Healthy School Outreach, Missouri School Plant Managers' Association Conference, Four Seasons, Lake of the Ozarks, Mo. Contact: Kathleen Fenton, 7874 and Harry Diesel, 7382

SUPR

None

WWPD

5/5-8/14 – Environmental Leaders Institute State / Tribal / EPA Training Workshop, Shepherdstown, W.Va. Contact: Tabatha Adkins, 7128

5/12/14 – Meet with ICCI Representatives, Des Moines, Iowa. Contacts: Dave Cozad, 7587, Karen Flournoy, 7782

5/12-16/14 – National Total Maximum Daily Load/Measures and 303(d) Listing Conference, Denver, Co. Contacts: Tabatha Adkins, 7128, Bruce Perkins, 7067, Debby White, 7886

Des Moines Register

EPA holds liens against Dico land

By Joel Aschbrenner, jaschbrenn@dmreg.com

6:04 a.m. CDT May 7, 2014

<http://www.desmoinesregister.com/story/money/business/2014/05/07/epa-holds-liens-dico-land/8795153/>

Multiple ideas have been floated for redeveloping the contaminated former Dico Manufacturing plant, but each would require a deal between unlikely partners: Morry Taylor and the Environmental Protection Agency.

Taylor heads Titan International, the tire maker that owns the shuttered Dico plant on the bank of the Raccoon River in downtown Des Moines.

The EPA has sued Titan and its subsidiary Dico Inc. for various violations at the site, including groundwater contamination and improper disposal of contaminated materials.

Interest in developing the site was renewed last week when Des Moines school officials said they are considering the plant as a location for a new stadium.

The school district isn't alone. A private developer has inquired about building an amphitheater at the site, said Rita Conner, an economic development coordinator with the city.

The critical hurdle for any redevelopment is getting Titan and the EPA to settle all the penalties and liens against the Dico property. It would be unrealistic to expect a new owner to pay the penalties, Conner said.

"As long as Mr. Taylor and the EPA have been at odds, the penalties have kept accruing," she said. "We're not sure that the EPA won't issue more penalties against Mr. Taylor. It's that set of unknowns that make it very difficult to redevelop this site."

A federal judge ruled in February that Titan and Dico had to pay a combined \$4.6 million for the improper disposal of building materials that the EPA said contained PCBs, chemicals linked to cancer. The companies have appealed.

In the 1990s, a judge ordered Titan to pay about \$5 million in cleanup costs after TCE, a chemical linked to cancer, was found to have leaked from the Dico plant to the city's water supply, said Mary Peterson, a project manager with the EPA who oversaw the site. Titan has not yet paid that judgment, she said.

Taylor said he is willing to donate the 38-acre Dico site for redevelopment, but he wants the EPA to drop its lawsuit and he wants to receive a tax write-off for the fair value of the property. He said the EPA was out for "blood money" and added that the agency's case was "so stupid it's a joke."

Taylor, who is nicknamed "The Grizz" for his gruff personality, ran for president as a Republican in 1996. He's known for taking on labor unions and wrote the book "Kill All the Lawyers and Other Ways to Fix the Government."

Peterson said Taylor needs to pay the liens and penalties.

"I don't think it would be appropriate for us to allow him to donate the property and receive a massive tax benefit without him paying the judgments he owes the United States government," she said.

Titan bought the Dico plant in 1993. The factory closed in 1995 after 50 years of making wheels, brakes and rubber parts.

The property sits just south of Martin Luther King Jr. Parkway on the west bank of the Raccoon River. City leaders have described it as prime real estate — if it could be cleaned and sold.

In 1983, the Dico plant was placed on the federal Superfund list, a list of sites that pose the most serious risk to public health.

Contamination has been reduced in recent decades. At one point, nine pumps and filters operated at the site to scrub the groundwater and prevent additional leaks; today there are three, Conner said.

Des Moines school officials have said they want help from Iowa's lawmakers in advocating for the redevelopment of the Dico site.

In a meeting with Register editors Tuesday, Superintendent Thomas Ahart said Des Moines students deserve facilities of the same quality as those in the suburbs, but that a new stadium is just an idea at this point.

"It's not a pressing issue," he said.

Ahart called the site "a big scab" anchoring a corner of downtown Des Moines.

THE SITE: Where the Dico plant sits

Conner, the city economic development coordinator, said the talks about building an amphitheater at the Dico site are very preliminary.

An outdoor music venue has also been discussed as part of Water Works Park's proposed overhaul, and it's unlikely there would be enough demand for two such venues, she said.

Peterson said she believes the Dico site can be redeveloped. That's the EPA's goal with all Superfund sites, she said.

Taylor said he likes the idea of building a stadium at the site. "It's probably the best thing they could do with the damn thing. It would bring a lot of benefit to the city."

Taylor said he wants to see Iowa's lawmakers advocate for redevelopment of the site. "They should put pressure on for the city and say: 'We're going to get the EPA out of this thing,' " he said.

Conner said the city hopes to facilitate talks between Taylor and the EPA.

"We think the community really deserves a development that can showcase the entryway into Des Moines and protects the health and safety of the public," she said. "We think both can be accomplished."

